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ROSS D. SNYDER & ASSOCIATES, INC.  
PO BOX 164075  
AUSTIN TX 78716-4075

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JUN 17 2008

In re Application of :  
McCormick, et al. :  
Application No. 09/246,612 : ON PETITION  
Filed: February 8, 1999 :  
Attorney Docket No. 1400.9801020 :  
For: METHOD AND APPARTUS FOR  
PROCESSING CALL SIGNALING  
MESSAGES

This is a decision on the reconsideration petition under 37 CFR 1.47(a), filed October 27, 2006.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. Any response should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)" and may include an oath or declaration executed by the inventor. **Failure to respond will result in abandonment of the application.**

A grantable petition under 37 CFR 1.47(a) requires:

- (1) a petition including proof of the pertinent facts establishing that the joint inventor(s) refuses to join, or cannot be found or reached after diligent effort,
- (2) a proper oath or Declaration executed by the available joint inventor(s),
- (3) the petition fee, and
- (4) the last known address of the omitted inventor(s).

This petition lacks item (2) above.

As to item (2), an oath or declaration for the patent application in compliance with 37 CFR 1.63 and 1.64 still has not been presented. Applicants have submitted a declaration containing complete information for all joint inventors. However, the declaration is not signed. An unexecuted declaration is not acceptable. Given the specific facts surrounding this situation, the

inventors, signed by at least one joint inventor or an empowered representative the assignee of interest of all inventors who executed the declaration. An attorney may sign on behalf of the assignee of interest of all inventors who executed the declaration. An assignee must comply with the requirements of 37 CFR 3.73(b).

Further correspondence with respect to this matter should be addressed as follows:

**By mail:** Mail Stop PETITION  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

**By hand:** U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Petition  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

**By FAX:** (571) 273-8300 - ATTN: Office of Petitions

Telephone inquiries should be directed to the undersigned at (571) 272-3230.

*Shirene Willis Brantley*  
Shirene Willis Brantley  
Senior Petitions Attorney  
Office of Petitions